

425/837-3400 Fax: 425/837-3409

# Memorandum

To:

Parties of Record for whom we do not have email addresses

From:

Lucy Sloman, Land Development Manager

Date:

May 7, 2012

Re:

SDP12-00001, Notice of Decision for Grand Ridge Plaza

Enclosed is a PDF of the Notice of Decision for Grand Ridge Plaza's Site Development Permit (SDP), permit number SDP12-00001.

Appeals may be filed by the applicant, the City's Responsible Official, property owners within three hundred feet of the proposed action, or other persons claiming to be directly harmed by the proposed action within 14 calendar days after the Responsible Official issues the decision and mails it to the applicant. Appeals shall meet the Criteria identified in Section 8 of Appendix L of the Development Agreement and follow the process identified in that Section. As the decision was distributed today, Monday May 7, 2012, the 14 days begins tomorrow and would conclude at 5 pm May 22, 2012.

The following are excerpts regarding appeals from Appendix L of the Issaguah Highlands Development Agreement. If you would like to see the complete Appeals section, the application, the Development Agreement, or other public documents, contact Kathe Geyer. Her email is kathleeng@ci.issaguah.wa.us and she may be reached by dialing 425-837-3400.

# Appendix L: Land Use and Construction Permits

# Section 8 Appeals

Appeals can be filed only by the applicant, the City responsible official, property owners within three hundred (300) feet of the proposed action, or other persons claiming to be directly harmed by the proposed action. The statement of appeal shall:

- 1. Identify the decision being appealed and the alleged errors in that decision:
- 2. State specific reasons why the decision should be reversed or modified; and
- 3. State the harm suffered or anticipated by the appellant, and the relief sought.

The scope of an appeal shall be based on matters or issues raised in the statement of appeal.

Appeals of Urban Village Development Commission Actions: A notice of appeal and a statement of appeal of all or any portion of a Urban Village Development Commission decision must be filed with the City Council within fourteen (14) calendar days after the Urban Village Development Commission issues its recommendation and mails it to the applicant. The City Council shall decide the appeal, on the record created at the Commission, within thirty (30) days after the appeal is filed.

## My contact info is:

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### City of Issaquah

# Urban Village Development Commission NOTICE OF DECISION

Applicants:

Regency Center

8

Port Blakely Communities

5335 SW Meadows Road, Suite 295

1011 NE High Street, Suite 200

Lake Oswego, OR 97035

Issaquah, WA 98029

Contact: Craig Ramey

Contact: Irma Dorè

Subject:

Site Development Permit for Grand Ridge Plaza

Number:

SDP12-00001

Decision Date:

May 1, 2012

Request:

Application for approval of a site development permit in Blocks 2, 3, 4c, portion of 4e, 5, portion 6, 7, 17a, 17b, 18 for a retail center consisting of 186,750 sq.ft. of retail and restaurants. The project encompasses 18.65 acres and the development will comprise 15 buildings, 2 potential future buildings, and associated parking of 1170 stalls, on-grade and in a parking deck.

Decision:

The Urban Village Development Commission (UVDC) reviewed the proposed Site Development Permit application during a Public Hearing conducted on May 1, 2012, and April 17, 2012. After reviewing the application, reviewing the staff report and supporting documents, and listening to presentations by the applicant and staff, the Commission approved the application with Conditions. Approval of this application is based on the attached Findings of Fact, Conclusions and is subject to the

Conditions contained herein.

Geoff Walker, Chair

**Urban Village Development Commission** 

Date

#### NOTES

- If any of the Conditions or portion thereof is declared invalid or uneraforceable, the application must be remanded to the Responsible
  Official for reconsideration and evaluation for consistency and appropriateness of the remaining Conditions.
- 2. Appeals may be filed within 14 days of the issuance of this Notice of Decision by the applicant, the City Responsible Official, property owners within three hundred feet of the proposed action, or other persons claiming to be directly harmed by the proposed action as permitted by Appendix L of the Grand Ridge (Issaquah Highlands) Annexation and Development Agreement, June 16, 1996. Appeals shall meet the Criteria identified in Section 8 of Appendix L and follow the process identified in that Section.
- Any major change (as determined by the Responsible Official) to the approved site plan or accompanying drawings must be reviewed and
  approved by the Urban Village Development Commission. Less substantial changes may be approved administratively by the
  Responsible Official.
- Building, utility, and sign permits will not be approved unless all applicable Conditions of this Notice of Decision are satisfied to the satisfaction of the Responsible Official.
- 5. This action does not indicate nor imply that any development activities may occur without the required permits being issued.
- This SDP approval expires three years from the Decision Date or as otherwise provided by IMC 18.04.220.

This Notice of Decision has been executed this \_\_\_\_\_ day of May, 2012 by the Chairman of the UVDC on the behalf of and per the direction of the UVDC.

WHEREAS, pursuant to Appendix L (Processing) of the Grand Ridge Annexation and Development Agreement, the UVDC held a Public Hearing on April 17, 2012 and May 1, 2012, to consider a Site Development Permit for a retail center called "Grand Ridge Plaza." The proposal is for the development of fifteen restaurant and retail buildings on approximately 18.65 acres; and,

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard at a public hearing; and,

WHEREAS, the UVDC originally received the application on April 10, 2012, and has had adequate time to review and reflect upon the application; and,

WHEREAS, the UVDC is now satisfied that this application has been sufficiently considered, and hereby makes and enters the following:

#### I. FINDINGS OF FACT

- 1. The Regency Centers submitted a Site Development Permit application on March 12, 2012 for the development of a retail center on approximately 18.65 acres. The property is located in a series of blocks or portions of blocks: Blocks 2, 3, 4c, portion of 4e, 5, portion 6, 7, 17a, 17b, 18. The development will consist of 186,750 square feet of retail and restaurant uses, and will include approximately 1170 parking stalls in surface parking and a parking deck. Plazas, vehicular and pedestrian circulation, landscaping, and utility improvements were also proposed. Revised drawing sets were submitted on April 9, 2012.
- 2. The site is located in the northern portion of the area referred to as the East 42 plat and the central area of the Town Center plat of the Issaquah Highlands Urban Village, between of 9<sup>th</sup> and 10<sup>th</sup> Avenues, between Discovery Drive and High Street. Block 4e was created through the dedication of roadways.
- 3. The property is located in Development Area 4 and was included in the original Development Agreement.
- 4. An Administrative Minor Modification (AM01-008IH) eliminated the Development Subareas in Development Area 4 (Appendix B).
- 5. The site is currently cleared and partially graded. No occupied structures currently exist on site.
- 6. North-south access to the site is from the couplet of Highlands Drives and 9<sup>th</sup> Avenue; eastwest access is from Park Drive. Generally the street grid continues through this site connecting it to most surrounding areas, except Parcels A/1 which is connected by a future pedestrian stair. Pedestrian connections are provided along all streets.
- 7. Under Section 18.03.300 of the Issaquah Municipal Code, the Commission conducts a planning-level review of Site Development Permit applications within the Issaquah Highlands for conformance with the policies, goals, and objective contained in the City of Issaquah Comprehensive Plan and the planning goals and commitments of the Grand Ridge Annexation and Development Agreement.

- 8. As called for by Appendix L, Section 3 of the Development Agreement (Sufficient Application Decision), the application was determined by staff to be sufficient for review on March 23, 2012, based on additional information received that day. Staff has determined the application contains adequate information and detail to review as a Site Development Permit.
- 9. Staff has thoroughly reviewed the application and presented their findings verbally and in a Staff Report. Staff has issued a Briefing Response Memo on April 24, 2012 in response to issues raised at the April 17, 2012 public meeting. The Staff Report thoroughly reviews the application in relation to the applicable approval requirements. The report contains a recommendation of approval, subject to 98 conditions. The Briefing Response Memo added two new conditions and revised two other conditions. In addition, the staff report contains numerous exhibits which relate to the review of the project. The UVDC finds this document, including its appendices, to be a thorough and complete review of the application and hereby incorporates it by reference as a finding in its entirety.
- 10. The UVDC has had the opportunity to thoroughly review the application. An initial briefing was provided on April 17, 2012. The public hearing was continued on the evening of May 1, 2012.
- 11. Beyond the information provided in the application, the Staff Report and its exhibits, information was provided by staff and the applicant to the UVDC during the course of the public process to enable it to have a complete and thorough understanding of the project. This includes: a slide presentation by staff of the site; a discussion between the staff and UVDC of each non-standard condition proposed in the Staff Report; and a presentation by the applicant explaining the project and its compliance with the Development Agreement.
- 12. Fifteen individuals commented via email and one letter was received. The majority of emails received were from Issaquah Highlands residents. In addition, Connie Marsh sent two emails and Microsoft's attorney sent a letter. This correspondence contained concerns and/or questions related to: traffic impacts, Interim Parking, phasing of construction, pedestrian routes and walkability, bike access and facilities, availability of a model, plaza design and renderings, changes to existing streets, lighting, parking lot design and the desire for structured parking, tenant mix, landscape and friendly character, opposition to drive-thrus, welcome signage, uses on Block 4c and impacts to the adjacent wetland, disappointment that the retail center was not more like University Village, as well as general support for the proposal.
- 13. Two opportunities for public testimony were provided during the public meeting/hearing held on the evenings of April 17, 2012 and May 1, 2012. Eighteen people testified over the course of the two meetings. This testimony contained concerns and/or questions related to: pedestrian safety, traffic impacts, traffic congestion near the school and Park Drive/15<sup>th</sup> Ave four-way stop, changes to existing streets, truck routes, parking lot design, number of parking spaces (both too many and too few, overflow), tenant mix especially in Block 18 and the ability to control who the tenants are in that block, character and vision for the retail center, model of the proposal and presentation methods, plaza design (one vs a series) and plazas in each block, opportunity for community input, providing a gathering place for the community not just a shopping center, building design especially on the backside, stormwater design (LID), desire for weather protection, alley between Blocks 6 and 7, bicycle facilities and routes, phasing of construction, Interim Parking, views.
- 14. Notice of the Public Hearing and public meetings was provided consistent with the requirements of Appendix L of the Development Agreement. This is further detailed in the Staff Report.

- 15. Included in the Staff Report is a review of how the proposal conforms with the City of Issaquah Comprehensive Plan. The UVDC finds that the proposal conforms to the Comprehensive Plan, specifically with regard to its Land Use Element. This proposal will help advance the vision for the City as articulated in the Comprehensive Plan.
- 16. Section 3.2 of the Development Agreement, pursuant to the amended Agreement dated February 22, 2000, establishes an "Allowable Development" in Issaquah Highlands of 2,950,000 square feet of commercial uses, and an additional 500,000 square feet of commercial or retail uses. The SDP proposes a total of 186,750 sq. ft. of retail and restaurant uses. The SDP falls within the range of Allowable Development contained within the Development Agreement. In addition, SEPA review to modify Block 4c, limits the range of uses on the property; the proposal is consistent with those limits.
- 17. Appendix I of the Development Agreement establishes a "Project Envelope" that governs SEPA compliance for implementing approvals such as the SDP. The "Project Envelope" includes the Allowable Development established by Section 3.2 of the Development Agreement. Section 3.22.2.2 provides that the City and property owner "intend the [Grand Ridge] EIS to be SEPA compliance to the fullest extent possible for all Implementing Approvals." Section 3.22.2.2 further provides that "a supplemental EIS, addendum or mitigation measures beyond those in this Agreement may be required by the City only to the extent an Implementing Approval or requested modification exceeds the Project Envelope."
- 18. Staff determined on March 27, 2012 that the proposed Site Development Permit had undergone SEPA review through past environmental review processes and was within the Project Envelope established by the Grand Ridge EIS.
- 19. No critical areas are located on-site but a wetland, NF34, is adjacent to several blocks within the proposal. A SEPA review was previously submitted and approved allowing modifications to the critical area and the buffer.
- 20. Some proposed elements extend into the right-of-way but they are consistent with the City's Sidewalk Use and Design Standards and Guidelines.
- 21. The proposal is consistent with the Planning Goals, as identified in Appendix A of the Development Agreement and meets the intent of applicable commitments: Commitment #4: Build an active town center containing a mix of uses, a gridded street system with generous sidewalks, and a series of public gathering and social spaces. The public spaces will be located outside and possibly inside, generally available to the public, framed by buildings to the extent possible, and located and designed to be pedestrian oriented; Commitment #5: to build "substantial employment on site"; Commitment #10: Design a circulation system that uses a street grid and discourages widespread use of cul-de-sacs; Commitment #13: develop a project that is social and gregarious, i.e., that appeals to people who want social interaction and a feeling of community. These commitments can be achieved through this project provided the conditions identified below are met.
- 22. Appendix B establishes the land uses and densities for the development of this site. Density, calculated as a range in Floor Area Ratio is applied on a district wide basis and the proposal is within the range. The retail and restaurant building uses proposed in this SDP are consistent with the allowed uses. In addition the use on Block 4c is consistent with the SEPA decision which allowed the partial filling of Wetland NF34.
- 23. The proposed buildings meet the building height, parking, landscaping, and setback requirements listed in the Development Agreement.

- 24. The development standards for urban roads as set forth in Appendix H of the Development Agreement were used to evaluate the proposal.
- 25. Transportation mitigation for the entire Issaquah Highlands Urban Village was thoroughly addressed by the Development Agreement and the construction of the Sunset Interchange projects (North SPAR, South SPAR, Sunset Interchange). The traffic generated by this proposal falls within the scope of traffic anticipated by the Development Agreement and evaluated by EIS for Grand Ridge and the Sunset Interchange/SPAR.
- 26. Appendix D of the Development Agreement identifies the requirements for the stormwater conveyance, detention, and treatment system. Port Blakely Communities has constructed a comprehensive system that has sufficient capacity to meet these requirements.
- 27. The existing street network provides for an interconnected system of sidewalks along all streets and the SDP proposes to complete the street, bicycle, and sidewalk network through additional construction. The SDP also proposes pedestrian walkways through parking areas.
- 28. The application was routed to various departments within the City as well as various support agencies such as Eastside Fire and Rescue and Cleanscapes. All comments were incorporated into the proposal or the below-listed conditions.
- 29. Traffic safety and operation impacts have been considered through review of the application and the incorporated conditions will adequately ensure these issues are addressed.
- 30. Any conclusion listed below which could be considered a finding is hereby incorporated as a finding.
- 31. The Commission evaluated all comments related to this application prior to rendering its decision.

#### II. CONCLUSIONS

Having rendered the above-cited Findings, the UVDC draws the following Conclusions:

- 1. This proposal was reviewed in accordance with Appendix L of the Grand Ridge Annexation and Development Agreement. The UVDC is responsible for reviewing and making the decision for Site Development Permit applications for parcels over three acres in size.
- 2. The Grand Ridge Plaza at Issaquah Highlands is within the Project Envelope established by the Development Agreement.
- 3. The proposal complies with the Grand Ridge Annexation and Development Agreement, including subsequent amendments.
- 4. The application contains adequate information for the UVDC to render this decision.
- 5. The information provided during the public review process by the staff and the applicant has further assisted the UVDC to fully comprehend the proposal.
- 6. The public has been given ample opportunity for comment on the proposal.
- 7. The proposed action complies with the City of Issaquah Comprehensive Plan.
- 8. The conceptual storm water plan is consistent with the Development Agreement.
- 9. This proposal has been reviewed under SEPA as provided for in Section 3.22.2.2 and Appendix I of the Development Agreement using the Grand Ridge and Sunset Interchange/SPAR EISs.
- 10. Through application of conditions of approval, traffic and non-vehicular safety issues related to the proposal will be adequately mitigated.

11. Any finding above which could be considered a conclusion is hereby incorporated as a conclusion.

#### III. MOTION

I move that the Urban Village Development Commission approves the Grand Ridge Plaza Site Development Permit, File# SDP12-00001, as described and evaluated in the Staff Report dated April 10, 2012, Attachments A-I, and plat drawings dated April 6, 2012 and March 7, 2012, Staff's Briefing Response Memo dated April 24, 2012, and subject to the terms, conditions, and rationale as contained in the Staff Report, and from the Staff Memo, Revised Conditions, #15 and #79, New Conditions #99 and #100 and with the addition of the following conditions:

- 101. Phasing If an application is submitted to construct a portion of any Block, that permit application will provide improvements to the entire Block, in order to add, rather than detract from the public experience. The future portion will include temporary parking lot screening (as would otherwise be provided by buildings) and either temporary recreational or retail improvements, or other improvements as determined by the Responsible Official. Temporary retail improvements could include a temporary building, a tent, or some other structure to provide retail sales. Temporary recreational improvements could include sod, a pea patch, a flower garden, etc.
- 102. Consider incorporating the Public into the ARC review process for this project.

And, I move that the Urban Village Development Commission direct the Development Services Department to prepare a Notice of Decision for review and approval by the UVDC Chairman, affirming the UVDC's decision to approve the Site Development Permit application for Issaquah Highlands Grand Ridge Plaza, File No. SDP12-00001, subject to the conditions listed in the Staff Report as well as those modified and added in the Staff's Briefing Response Memo, and as added this evening.

#### IV. CONDITIONS

Based on the findings and conclusions outlined above, the Urban Village Development Commission approves the Site Development Permit application for the Grand Ridge Plaza of Issaquah Highlands, file number SDP12-00001, as described in the Staff Report dated April 10, 2012, its Attachments A through I, the Briefing Response Memo dated April 24, 2012, and subject to the following Conditions:

- 1. The two future buildings shown in this application (on Blocks 3 and 17a) are preliminarily approved. Prior to building permit submittal to construct either building, a planning level review must occur to determine consistency with this permit such as parking, pedestrian access, goals, guidelines, etc.... As long as either proposal is consistent, as determined by the Responsible Official, no further review by the UVDC shall be necessary or occur.
- 2. Prior to Building Permit submittal for any block where buildings would cross property lines, the Applicant must submit for a lot consolidation or lot line adjustment. The consolidation or adjustment must be approved prior to Building Permit approval.

- 3. In the event the project is phased, the Responsible Official has the right to apply additional conditions with Building or Utility Permits to ensure each phase complies with the Development Agreement, such as but not limited to access, fire circulation, parking, and landscaping requirements including site stabilization. Individual blocks or a later phase may rely on facilities included in earlier phases or other blocks which have capacity, as long as the development resulting from the combination of the phases still complies with the Development Agreement. When a later phase or separate block relies on an earlier phase to comply with the Development Agreement, a covenant or similar mechanism must be recorded on both phases or blocks, to ensure that a future sale of a portion of the property would not result in non-conforming development. Interim landscape shall discourage invasive plants from sprouting and establishing. Routine maintenance of these areas will look for and remove invasive plants.
- 4. The preliminary plat for the East 42, PP05-003IH, contains Approval Conditions that apply to this SDP and shall be implemented as appropriate through this and subsequent permits. These conditions include: Conditions #4, 5, 6, 7, 10, 16a. See Attachment A.
- 5. The preliminary plat for the Town Center, PP02-004IH, contains Approval Conditions that apply to this SDP and shall be implemented as appropriate through this and subsequent permits. These conditions include: Conditions #4, 11, 12, 13, 15, 16. See Attachment A.
- 6. The following land use permits are voided by this SDP if approved: ASDP07-006IH (Block 5 Temporary Parking), ASDP10-006IH (Block 7 Interim Parking), and SDP07-001IH (High Streets Retail). The approval conditions for the following decisions are modified as shown in Attachments B and C, respectively, to this SDP: ASDP09-002IH (Block 7, removing all elements except Tract QR including the alley and Feature Pedestrian Way) and ASDP09-004IH (Block 6 removing all elements except the cinema). Per this SDP, the Applicant has planning level approval for a walkway on the eastside of Block 7's alley. ASDP10-007IH (Block 5 Interim Parking) is not voided and may be implemented as an interim step by the Applicant, with additional review to confirm consistency with this SDP, e.g. driveway placement.
- 7. The 60 ft "no build" easement recorded with LLA07-007IH should be removed with any lot adjustment in the area or prior to submittal of permits for construction in the East 42 area; or buildings shall be adjusted to comply with restriction.
- 8. The Property Owner must submit a request asking that the City terminate the vacation of Federal Drive with the submittal of Utility Permits for 10<sup>th</sup> Way or Franklin Drive.
- 9. All dry and wet utility vaults, cabinets, switchgear, pull boxes, meters, equipment, and appurtenances are assumed to be shown on the SDP submittal. Anything not shown on the SDP submittal (location, relative height, presence above ground) is assumed to be located within the structure. Any revisions or additions to what the SDP has shown and approved outside of the structure requires a modification to the SDP, except fire hydrants.
- 10. Unless expressly identified, approval of this SDP application does not modify any City or Issaquah Highlands Development Agreement standards which are in conflict with elements of the SDP plan or application. Modification of the standards or guidelines requires an explicit approval in the Notice of Decision for this application or a separate Modification as allowed under Appendix M of the Development Agreement.

- 11. Any inconsistencies, conflicts, or incomplete information, other than those addressed directly by this Decision shall be resolved by the Responsible Official, utilizing the Staff Report, and in consultation with the Applicant, at the time of the future application (e.g. Building, Utility, Sign permits).
- 12. Additional review and discussion will be required prior to or with future construction permit submittals, e.g. the optional pre-application meetings, for the purpose of reviewing submittals at a more detailed level prior to official Utility or Building permit submittal. The application and the Staff Report provide a conceptual level of design, unless modified by the Notice of Decision for this application or as identified in this Staff Report.
- 13. With the submittal of each building permit, the type of Allowable Development (Original or TDR; retail or commercial) shall be identified consistent with and as allowed by the Development Agreement. Action Memo 10-30-07 (MM) (Revised) Process to Calculate and Track Allowable Commercial Development will be used to calculate Allowable Development, unless the Responsible Official approves another method. If TDR Entitlement is used, per the First Amendment, Impact Fees must be paid in cash at time of building permit issuance or credited through in-kind improvements acceptable to the City.
- 14. All development is encouraged to pursue sustainable development strategies (such as those included in the LEED certification program) and energy efficient design. If LEED certification is not pursued for a particular building, the Applicant shall provide the City with a report documenting how building enhanced the sustainability of the community. This report shall be submitted prior to first (Temporary) Certificate of Occupancy for the building and accepted prior to Certificate of Occupancy.
- 15. Every building or business shall have a pedestrian friendly entry from a sidewalk associated with a street. A pedestrian friendly entry is defined as a door that is 1) unlocked and generally available to the public during business hours, and 2) has glass or other design elements that convey that it is a front door, and 3) set into a façade which has architectural features and displays that create an inviting face to the street. The Responsible Official will allow the pedestrian entry from a location other than a sidewalk if it is visible from the sidewalk and maintains pedestrian priority such as: a plaza located at a building end cap if it is adjacent to the sidewalk; or a breezeway through the building if the breezeway is designed consistent with Feature Pedestrian Way (hardscape) trail standards though borders may be eliminated. In any of these situations allowed by this condition, the methods described by the Applicant in the Narrative shall be employed on the street facing façade. Additional entries are encouraged to face parking or the interior of the site.
- 16. All vehicular entries into blocks, parking lots, and parking decks shall be designed as driveway cuts rather than as a street with curbs and curb ramps. All grade transition for the vehicular entries shall occur in the planter strip area (which may be hardscape) and outside of the sidewalk area. The sidewalk shall be continuous across the block, parking deck, or parking lot entry, with no grade change. Driveway cuts shall be limited to the minimum width allowed by the City's driveway standards for commercial driveways (24 ft), unless additional information indicates increased width is necessary for adequate function. In the event that a driveway is approved to be wider than the minimum, it shall be designed to reduce private vehicular speeds while maintaining necessary and safe functioning. 10th Way is a street and therefore is not subject to this condition. Also the loading dock entry to Block

- 18 may be exempt based on engineering and functionality information provided subsequent to this process.
- 17. Designated pedestrian paths and trails which cross vehicular routes, drives, access routes, etc... shall be designed to draw the driver's attention to the possible presence of pedestrians. This condition would be met, for example, through the use of pedestrian tables, changes in material (e.g. concrete, pavers; not solely paint or striping), etc... Emergency vehicle routes shall not use raised crosswalks. This will be reviewed with Utility Permits.
- 18. Prior to submitting a permit for any construction activities in Block 18 or Franklin Drive, the Applicant must comply with the East 42 Plat condition #4 and Final Plat Restriction and Note #17. For example the Applicant could reconfigure the building in Block 18 to provide a through block pedestrian connection; or redesign the south side of Franklin Drive to provide a pedestrian facility that is 8 ft wide, attractive, and an integral part of the site design of Franklin Drive and the plaza. This would include a design that minimizes the impact of the loading dock while providing for truck maneuvering and adding features adjacent to the Block 18 building to mitigate its size such as weather protection or other architectural features.
- 19. Except in community plazas located in Blocks 7 and 17b, outdoor seating in plazas may include reserved seating for private use but shall not be dedicated solely for reserved seating; publicly available seating will be provided through benches, seat walls, chairs, etc.... To ensure adequate pedestrian circulation in all plazas, outdoor seating and other plaza uses shall not obstruct a minimum 8 ft. clear path zone connecting through blocks and between uses. Pavement and/or other elements shall highlight this route.
- 20. Two-way vehicular routes, where cars will not be backing out, will not exceed 20 ft wide.
- 21. Parking stalls which have low landscape or additional hardscape at the head of the stall, may reduce the paved portion of the stall length by 2 ft as long as the car can hang into the landscape or hardscape by 2 ft without impacting pedestrian walkways or the proposed landscape. Overhangs shall be indicated on all plans for parking lot construction or landscape. Landscape in appropriate locations may be counted to the 10% landscape requirement. The overhang should be clearly shown on drawings to ensure the reviewer is clear where this technique is being used.
- 22. In both Blocks 7 and 17b, the Applicant shall provide a minimum of 4000 sq.ft. of useable urban plaza space consistent with Traditional Townscape Neighborhood Type, the Urban Design Guidelines, plaza standards, etc.... Each plaza shall be useable year round, tailored to surrounding uses, and suitable for a range of users from children to adults. The spaces shall be primarily hardscape with trees but may contain some other plant materials and softscape such as grass in limited quantities. These plaza spaces shall be exclusively for "public" use and shall not contain reserved seating or private outdoor seating such as that associated with adjacent eateries; however, the owner may, with notice, occasionally close the plazas for private events and activities. Block 7's plaza shall be complete with the Certificate of Occupancy for the cinema or the Block 7 restaurant, whichever comes first; Block 17b's plaza shall be complete with the Certificate of Occupancy for the shell in Block 18.
- 23. Uses on Block 4c must be consistent with SEP02-005IH and Action Memo 06-06-11-01 (KN).

- 24. Any unused stormwater utility stubs must be removed at the main and abandoned in accordance with City Standards, prior to (Temporary) Certificate of Occupancy of the adjacent block.
- 25. Any Low Impact Development facilities or landscape areas must have overflow connections to the stormwater system to prevent downstream breakout and erosion, and create a public nuisance.
- 26. Any emergency power generating equipment for buildings in this SDP must comply with AM11-00006.
- 27. The wall on the eastern edge of Block 18 must be designed and constructed in a manner that allows future repair or replacement without impacting the 10th Avenue right-of-way or compromising traffic on 10th Avenue.
- 28. Prior to the approval to construct a wall adjacent to the buffer of NF 34, the Applicant must prepare a critical area study that examines the impacts to the wetland and buffer and provides appropriate mitigation.
- 29. Through the development of the areas surrounding Blocks 4c and 17a implement the following critical area study conditions:
  - #8. For all construction activities within 100' of the wetland buffer, the Applicant shall hire an independent qualified professional, acceptable to the Responsible Official, to be on-site to ensure construction does not exceed the limits agreed upon by this decision. Following construction within this area, a licensed surveyor shall submit an affidavit to the Responsible Official attesting that the construction was contained within the approved limits.
  - #9. Prior to the approval of grading or other construction permits for the retail within this area, the Applicant, successors or assignees shall gain approval from the MDRT for mitigative measures to include:
  - Methods for discouraging intrusions into the wetland following construction that may include fencing, double density plantings at access points, etc.;
  - Methods for ensuring construction impacts are minimized; and,
  - Methods for clearly demarking the boundary between the critical area and private property.
- 30. Further review of proposed activities within the BSBL will occur with permits for construction to determine consistency with Appendix E, Critical Areas.
- 31. All existing water mains within public rights-of-way must remain in-service during construction.
- 32. All water mains must be located in public rights-of-way or within utility easements that provide a minimum of 15 ft of unobstructed width for access and maintenance. This condition will be enforced during Utility Permit review and approval.
- 33. City Water Connection Charges shall not be levied against redundant fire or domestic service connections that serve as emergency backup supplies and that are controlled by the City of Issaquah.
- 34. Additional cross connection control devices or special cross connection control methods might be required in order to properly protect the public water system from contamination

- 35. Prior to the first building permit on Block 2, 3 or 4a, all responsibility that the City currently has for the abandoned and unused watermain and real property (including all liability) shall be discharged to the satisfaction of the City.
- 36. On the face of each Utility Permit and Building Permit plan set, the Applicant must include the following; the total building square footage included in that application, the number of fixture units, the Average Dry Weather Flow (ADWF) and the Peak Wet Weather Flow (PWWF) associated with the improvements in that application. The information must be in tabular format. This condition will be enforced at Building Permit and Utility Permit.
- 37. All sewer mains must be located in public rights-of-way or within utility easements that provide a minimum of 15 ft of unobstructed width for access and maintenance. This condition will be enforced during Utility Permit review and approval.
- 38. All public sewer mains must include all-weather access for the City's Vactor Truck. The truck must be able to approach and stage within 6' of the edge of any manhole. This condition will be enforced during Utility Permit review and approval.
- 39. Only changes to the existing street system which are identified and approved, or conditioned, in this report are approved. Additional changes require administrative review and approval prior to submittal of permits for construction.
- 40. Expansion and modification of Federal Drive to a two-way facility must be done in a manner that maintains the east-bound alignment of the existing lane.
- 41. An AMM will be processed to establish the new street standard for Federal Drive between 9<sup>th</sup> Ave and Highlands Drive, prior to submitting permits for its construction or modification. The standard shall include on both sides of the road: on-street parking, standard tree wells, and a sidewalk equivalent to that present now.
- 42. The improvements shown on Federal Drive (specifically the conversion of this roadway to two-way traffic) must include special signage to alert drivers to the change in roadway configuration, including a center median or curb that overtly acknowledges the bi-directional nature of the roadway.
- 43. Prior to the approval of the first Utility or Building Permit on Block 3, a site distance analysis shall be approved by the City which demonstrates that the driveway on NE Federal Drive meets safety and street criteria. If the location shown on the application does not meet City Standards then the driveway shall be relocated or the safety issues mitigated as approved by the Designated Official.
- 44. The Park Drive pedestrian crossing facilities between Blocks 3/4c and Blocks 6/7 must be expanded to provide two direct, safe crossings on either side of the Block 6/7 alley. This must be completed prior to the (Temporary) Certificate of Occupancy for any use south of Park Drive and east of Highlands Drive.
- 45. Block 4c's eastern vehicular entry must be designed to mitigate the proximity to Park Drive. Possible solutions include sliding it to the south as far as reasonably possible; or the driveway shall be signed "right in right out" only and the driveway shall be configured to encourage drivers to observe this restriction; or another solution acceptable to the Responsible Official.
- 46. 10<sup>th</sup> Way, between Park Drive and Franklin Drive, shall be designed with segregated bicycle and pedestrian facilities, respectively, bike lanes and an eastern sidewalk. Prior to submitting

- permits for construction of these vehicular, bike, and pedestrian facilities, an AMM shall be processed to establish this road standard.
- 47. Back of curb on the west side of 10<sup>th</sup> Ave, complete the improvements consistent with the Non-residential road standard and preliminary design work contained in PUB11-00048. This includes 6 ft sidewalk, trees and tree wells coordinated with angled parking, extension of the angled parking to the north; however, PUB11-00048 cover condition requiring special paving for mid-block crossings is vacated. Receiving curb ramps shall also be provided for all curb ramps on the east side of 10<sup>th</sup> Ave. These improvements shall be completed prior to (Temporary) Certificate of Occupancy for Block 18.
- 48. The design of the wall adjacent to the 10th Avenue sidewalk shall ensure that there is adequate fall protection from pedestrian routes. This shall occur via the design of the top of the wall, or through the addition of landscaping, railing, or another fall protection method that meets the intent of the standards. These improvements shall be completed prior to (Temporary) Certificate of Occupancy for Block 18.
- 49. All roads must be constructed consistent with adopted Issaquah Highlands road standards. The Applicant may use existing standards or propose an AMM to an existing standard. The following roads, at a minimum require AMMs: 10th Way, Franklin Drive, Ellis Drive. Utility Permits for these roads may not be submitted until the relevant AMMs have been approved, if they are deemed necessary.
- 50. Along Ellis Drive, curb bulb-outs, curb cuts, and driveway cuts that are inconsistent with this SDP shall be removed and replaced with improvements consistent with this permit such as on-street parking, sidewalks, street landscape. All curb-to-curb improvements along Ellis Drive, east of Highlands Drive, as well as the back of curb improvements on the north side must be complete prior to (Temporary) Certificate of Occupancy in Blocks 17a and 18.
- 51. Franklin Drive must be designed to accommodate its various functions, including truck access and maneuvers, bikes, pedestrians, and plaza users, while minimizing paving dedicated to solely vehicular uses. The Applicant must show that truck maneuvers and pavement configuration have been reasonably optimized with the goal of minimizing street paving. These improvements shall be completed prior to (Temporary) Certificate of Occupancy for Block 18.
- 52. 10th Way is a street and thus will be designed using street standards, either adopted or modified. 10th Way shall be designed to differentiate the road from the parking lot. The street's alignment shall meet Traditional Townscape guidelines. If the Applicant chooses to modify the street standard for 10<sup>th</sup> Way, the AMM shall be approved prior to Utility Permit submittal for 10<sup>th</sup> Way.
- 53. If Pedestrian Tables are used they must be designed in conjunction with the limitations of EF&R vehicles, e.g. will not high center the vehicles, while also drawing drivers' attention to pedestrian facilities and slowing traffic.
- 54. The private alley and Feature Pedestrian Way in Tract QR which were reviewed and permitted prior to this SDP are not modified by this permit, except that at a planning level, a walkway on the eastside of the alley is added with the approval of this permit. Any other modifications to those permits will occur administratively subsequent to this permit, shall be approved and installed prior to (Temporary) Certificate of Occupancy for Blocks 6 or 7, and

- shall maintain routes for EF&R and the City's waste purveyor, or provide alternatives acceptable to the Responsible Official.
- 55. All exterior staircases and walkways shall be at least 5 feet wide, clear of intruding handrails, mature landscape, car overhangs, light poles, tables and chairs, etc..., except in those portions of the sidewalk where the standard is greater than 5 ft; then the width will be equal that of the standard. Where narrow planter beds are adjacent to walkways, plants shall be selected whose mature size will not impact the walkway width.
- 56. The Applicant shall incorporate treatments such as adding a stop bar inside the parking deck, attention to landscaping if proposed at parking deck entries, modifying wall materials to allow drivers to see pedestrians, and/or other visual cues for pedestrians at parking deck entry/exit locations. This will be reviewed at the time of building and/or utility permit.
- 57. Extend incomplete bike facilities by providing bike lanes on Franklin Drive and 10th Way north of Franklin Drive. Signage and design features should be provided to identify changes of and/or options for routes. These improvements shall be completed prior to (Temporary) Certificate of Occupancy for Block 18.
- 58. Street trees shall be installed using tree wells with grates on the following streets: 10<sup>th</sup> Way adjacent to Block 18, Franklin Drive adjacent to the plaza, Ellis Drive. Other locations are at the discretion of the Applicant.
- 59. Street trees along 10<sup>th</sup> Ave. will match the type (genus, species) previously planted on the east side of the street. Street tree installation (tree wells or parking strips) will match that on the opposite side of the street. Tree grates are not required on the eastside of 10<sup>th</sup> Ave between Ellis and Franklin Drives. Street trees shall closely follow the spacing and alignment used on the opposite side of the street. North of Wetland NF34, the street will be retrofit on the west side with tree wells and grates in conjunction with the new driveway construction; the tree type will be continued from the south. Spacing and installation will generally be 30 ft on center.
- 60. Generally trees will be installed 30 ft on center, paired with the tree across the street. Tree types will use the Master Street Tree Plan or if no tree is shown, continue or amend the Plan to identify the appropriate tree. Street trees shall be paired and closely follow the spacing and alignment used on the opposite side of the street. Street trees may only be removed due to entry drives and not commercial for signage. With the City Arborist's supervision, trees may be limbed and trimmed to improve signage visibility; or, relocated, with the Responsible Official's approval, along the frontage to create visibility vistas as long as tree health is not compromised.
- 61. Any tree located within 4 ft. of a public street, curb, sidewalk, or similar publicly-owned and maintained paving must have at least 10 lineal feet of root barrier placed adjacent to pavement.
- 62. Prior to the issuance of any construction permit, existing street trees shall be protected throughout construction by erecting temporary fencing.
- 63. All curbs at Issaquah Highlands must be vertical, unless otherwise approved by the Responsible Official, such as for fire access or some other unique circumstance. No extruded curbs are allowed.

- 64. All curb ramps must direct the user into the crosswalk (not the intersection or travel lanes) and generally point toward the curb ramp on the opposing side.
- 65. Where stairs must be used in the sidewalks or the path system, the Applicant shall avoid single steps and all steps should be level and of even height per the International Building Code.
- 66. With the submittal of Utility and/or Building permits, the Applicant must:
  - maintain emergency access routes to each block
  - provide a plan for construction parking and staging that maintains existing pedestrian and vehicular routes;
  - include a note on all Utility Plans that requires the Applicant to plan for and attend periodic meetings (generally weekly) with City staff to ensure that construction related impacts to the public (traffic, road closures, dust, noise, etc) are minimized and mitigated. The note must include provisions that require the contractor to respond to the City's request for action in matters regarding safety and public nuisance.
- 67. Prior to issuance of each Building Permit, the Applicant must execute a shared parking (car and bicycle, if appropriate) agreement acceptable to the City to generally allow access to parking throughout the retail center. Subsequent to the approval of this SDP and prior to the submittal of the first permit for construction of facilities approved by this SDP, the Town Center parking matrix shall be updated to reflect the location of parking within the district. With the building permit for each, the Applicant shall confirm that sufficient parking can be constructed; the parking will be completed prior to (Temporary) Certificate of Occupancy for each building.
- 68. As actual building sizes are not final, parking counts, stall size (compact vs standard) counts and placement, parking and stacking credits will be confirmed with each Building and/or Utility Permit.
- 69. Adopted standard stall dimensions shall be the maximum; adopted compact stall dimensions shall be the minimum. Stalls smaller than standard stall dimensions, in one or both directions, shall be considered compact stalls. Compact stalls are allowed on a fire lane with special design considerations.
- 70. Consider providing parking spaces for motorcycles, super sub-compacts, electrical vehicles, etc.... If provided, these spaces shall be specifically designated.
- 71. In the parking lots or decks: Drives and drive aisles, where cars will not be backing out, will be only 18-20 ft wide; where all standard/ADA or a combination of standard/ADA and compact stalls are located, drive aisles will be 24 ft wide and no wider; where only compact stalls are located on a drive aisle, it may be reduced to 22 ft, though for design simplicity the drive aisle may be 24 ft wide, but no wider.
- 72. The number, type, and location of ADA compliant parking spaces is not approved by this permit and shall be reviewed by the Building department during the Building Permit review. The Applicant should meet with the Building Official prior to the submittal of any construction permits to confirm the number and distribution of ADA parking stalls.
- 73. The proposed land uses currently generate the need for 97 bike parking spaces; the number of required bike parking spaces may be modified based on the final parking count. A portion of the bike racks shall be distributed near the various activities generating the bike parking

- demand and some should be in covered locations. The bike racks shall be positioned to not block sidewalk, walkways, entrances, etc... as well as to function when full of bicycles; the racks shall likewise be accessible when adjacent activities, such as parking are occurring. Final bike rack locations must be shown on Building or Utility (e.g. landscape) Permit.
- 74. The Applicant shall provide additional information on loading locations, function, shared uses, and sizes consistent with Appendix O with each Building or Utility Permit, or an AMM must be approved. The loading docks shall be sited to minimize their impact on pedestrian areas and to ensure functionality. The AMM must be approved prior to submittal of each construction permit. In addition, the Applicant may convert a portion of the Park Drive parallel parking in front of the cinema to two loading spaces for the cinema.
- 75. A Transportation Management Plan (TMP) for each qualifying business shall be approved prior to the Certificate of Occupancy of the Building Permit. Provision of showers shall also be part of the TMP as well as other actions that the Applicant can take to reduce private automobile trips and promote the use of transportation alternatives consistent with the vision of Issaquah Highlands, City adopted Transportation Management Regulations, and State Commute Trip Reduction law and guidelines.
- 76. In the locations shown in the SDP, direct pedestrian connections, a minimum of 5 ft wide and in concrete or similar material (not asphalt), will be provided to and through the lots. Pedestrian tables or curb ramps, with or without wings as allowed, will be provided at all intersections with vehicular drive aisles and include truncated domes. When walkways are combined with parking lot/deck entry/exits or where pedestrians are likely to use the vehicular entry/exits to access surrounding sidewalks, the walkways will be vertically separated from driving surfaces by vertical curbs and will be separated from adjacent moving vehicular traffic by landscape at least 4 ft wide. The east side of the parking deck shall be designed to discourage pedestrians from exiting/entering via the vehicular drive, to reduce the likelihood pedestrians attempt to cross 10<sup>th</sup> Ave mid-block, by providing pedestrian exits/entries at the northeast and southeast corners of the deck. These improvements shall be completed prior to (Temporary) Certificate of Occupancy for the associated block.
- 77. Along the east side of the parking deck, provide a hedge or wall at least 3 ft in height where a trellis and weather protection are not provided. Where plazas, outdoor seating, or other pedestrian facilities are located adjacent to parking lots, hedges meeting at least the minimum 3 ft of height and width shall be provided.
- 78. Where pedestrians are in proximity to the exterior edges of the parking deck, the Applicant shall provide materials that are pedestrian friendly. This performance standard will be met through using materials that are visually and texturally interesting at a pedestrian scale. Long unbroken use of a single material will not meet this standard, unless supplemented with architectural relief, artwork, or additional plant materials etc.... The decorative architectural screens and/or green screen trellises shall provide 50% coverage of each non-vehicular opening into the parking deck.
- 79. The parking deck's rooftop architectural canopy (approximately the same length and width) shall also be relocated on the west side of the parking deck as weather protection.
- 80. At the time of submittal for a Utility Permit for landscaping, the Applicant shall submit a landscape maintenance plan consistent with the requirements of Appendix D and Issaquah

- Highlands best management practices. All landscape maintenance shall comply with these maintenance requirements.
- 81. Each and every pedestrian entrance shall be designed to highlight the presence of the entry by including architectural treatment, change in streetwall, and/or other acceptable response. Weather protection shall be provided at every pedestrian entry.
- 82. Between the public sidewalk and the parking lots along Federal Drive, between Highlands and Park Drives; and along the west side of Highlands Drive between High Street and Park Drive, provide architectural elements and columnar trees which will, contribute to the perception of a streetwall while, for safety, maintaining sightlines into and out of the parking lot. Architectural elements, individually or in combination, might be low or open walls, trellises, arbors, artwork etc that partially screen the parking lot, provide an edge to the adjacent public path, and contribute to a visually interesting pedestrian environment. These improvements shall be completed prior to Certificate of Occupancy for the adjacent block.
- 83. Provide architectural treatment for the parking lots' vehicular entrance to minimize its presence to the pedestrian while not obscuring its presence to drivers. These improvements shall be completed prior to Certificate of Occupancy for the adjacent block.
- 84. Design buildings with strong, iconic, and/or interesting corners at intersections. This could include the height of the corner portion of the building, its shape (in contrast to the rest of the building), colors and materials, weather protection, etc.... The Applicant should also consider relating the selected response to those used in adjacent blocks.
- 85. All building facades shall be designed with detail and interest. Blank walls shall be avoided, especially at the pedestrian's level; if necessary, articulation or other features will be provided. Appropriate articulation and features could include doors, windows, building articulation, and/or other architectural features to create an interesting and varied environment. This permit results in the need for additional mitigation of the cinema's western wall.
- 86. Site walls must be designed consistent with Traditional Townscape (which would preclude the use of rockeries).
- 87. A lighting plan shall be proposed which maintains lighting at the minimum necessary for safety and function, and balances the goal of minimizing night glow and off-site lamp visibility with pedestrian scale lighting and the urban design potential of lighting and light fixtures. Cut off fixtures will be used and lighting shall be located in areas where drivers and pedestrians are likely to be. The lighting plan shall comprehensively address building, street, drives, open space, parking lot, trails, and landscape lighting so that lighting impacts are not compounded in portions of the site by overlapping illumination patterns. To facilitate review of the lighting, a photometric calculation, stamped by a professional engineer, showing illumination levels on the pavement shall be submitted with the permit for construction of lighting. A point-by-point calculation is required. The illumination calculation shall include all fixtures that contribute light to the site (poles, bollards, building mounted lighting). Low wattage decorative fixtures such as sconces can be excluded from the calculation. No up-lighting is allowed. All exterior lighting is subject to the specific approval of the Responsible Official. Other than building mounted lighting, no lights shall be taller than 15 ft., unless otherwise approved by the Responsible Official.

- 88. The structured parking deck shall be designed to:
  - ensure no light direct spill from fixtures or vehicles
  - minimize reflective light and exterior glare spilling from the parking deck
  - eliminate or significantly reduce visibility of pin point light sources. This may include limiting openings, screening openings with architectural and/or landscape elements, fixture selection (e.g. cut off, lenses), fixture location, turning off fixtures late at night/early in the morning, etc....
  - The parking deck rooftop's surface parking shall have no direct light spill and will minimize reflective light to adjacent roadways and off-site views. The design of the parking deck will prevent headlights from shining out of the structure. Rooftop lights will be full cut off fixtures and limited to 12 ft in height.
- 89. Plazas shown in this proposal shall be designed as urban, useable, predominately hardscape gathering areas, rather than as parks. With additional design development, review is necessary to achieve consistency with the formality and structure associated with both the configuration and landscape anticipated with the Traditional Townscape Neighborhood Type as well as the other guidelines and standards for Plazas and Appendix S in general. The community plazas provided to comply with a portion of Commitment #4 should have varied opportunities for children's play and interaction integrated into the overall design of the space. In addition, the community plazas, if privately owned shall easements to the public while allowing occasional closure by the owner for special events.
- 90. Design the plaza and landscape in Block 4e as a respite for pedestrians and bicyclists, and to emphasize the plaza and de-emphasize the gas station.
- 91. The Block 7 plaza design will be to implement a portion of Commitment #4 by creating a gathering space with highly visible focus for the retail center by reducing the number activities or selecting activities that are flexible with the seasons and plaza's users and uses. Provide a strong relationship between the plaza and the restaurant and its outdoor seating, and use the restaurant and berm to enclose the plaza.
- 92. Consider designing the community plaza in Block 17b to a different neighborhood type allowing more flexibility in its design and transition to the adjacent wetland. Do not encourage bicycles to enter the plaza.
- 93. Weather protection will be generally (minimum 75%) provided along the buildings facing Highlands Drive, Federal Drive, Park Drive, and 10th Way. Weather protection shall be at least 8 ft above the sidewalk and extend at least 6 ft over the sidewalk and no more than 12 ft above the sidewalk and extends at least 8 ft over the sidewalk. For heights in between 8 ft and 12 ft, the minimum extension over the sidewalk shall be extrapolated between 6 ft and 8 ft of extension over the sidewalk. It does not have to be attached to the building.
- 94. Design and placement of the above ground facilities, such as buildings, walkways, significant plant materials, etc... shall take priority over the convenient location of utilities (including grease traps and oil/water separators) unless this would significantly compromise the function of the utilities. Service areas and mechanical equipment shall be located away from sidewalks and public areas. On all subsequent permits, utilities and their necessary easements shall be shown.
- 95. All mechanical equipment, utilities, appurtenances, etc... shall be screened. Equipment, above-ground utilities, appurtenances, etc... shall be located away from pedestrian areas, with

- at least a enough distance to allow landscape screening. Equipment located on rooftops including HVAC and mechanical equipment shall be fully screened from view both above and below.
- 96. This permit does not approve the proposed landscape as it is too conceptual. Additional and detailed review will occur concurrently and jointly by DSD and ARC. Plants should be selected and spaced based on their mature size. To facilitate review, plants will be shown on landscape plans at 85% maturity.

#### 97. Per EF&R comments:

- To ensure that the alley east of Block 6's cinema is a fire lane, all No Parking signs shown on Sht C7.01 of PUB10-008IH shall be changed to No Parking Fire Lane signs. Signs shall meet all requirements of Issaquah's Fire Lane Ordinance.
- Fire lane map is approved; see Attachment F. Computer modeling will be required for the ladder truck access to all points.
- 98. The waste collection shown is provisionally approved. With the submittal of any permits for construction, other than grading, the Applicant must submit additional information addressing Staff comments, concerns, and requirements regarding waste collection and service. Prior to building permit submittal or Utility permit approval, the Responsible Official accept the waste collection information and design, which will done on a block by block basis.
- 99. Between the Building Setback Line and the Property line, adjacent to NF 34, the design will minimize disturbance, replant the area with native vegetation, and incorporate Low Impact Development to manage stormwater in ways that emulate pre-existing conditions.
- 100. Prior to the first Certificate of Occupancy on either Block 2 or 5, the existing traffic signal head at 9<sup>th</sup> Ave and Park Drive (controlling west-bound Park Drive traffic) must be modified with low-angle lights or louvers so that the signal light cannot be seen east of Highlands Drive. This condition will be enforced through Utility Permits.
- 101. Phasing If an application is submitted to construct a portion of any Block, that permit application will provide improvements to the entire Block, in order to add, rather than detract from the public experience. The future portion will include temporary parking lot screening (as would otherwise be provided by buildings) and either temporary recreational or retail improvements, or other improvements as determined by the Responsible Official. Temporary retail improvements could include a temporary building, a tent, or some other structure to provide retail sales. Temporary recreational improvements could include sod, a pea patch, a flower garden, etc.
- 102. Consider incorporating the Public into the ARC review process for this project.

#### **Attachments:**

cc. Parties of Record
Dave Favour
Keith Niven
Dan Ervin
Doug Schlepp